

REMARKS

Summary of the Amendment

Upon entry of the above amendment, Claims 1, 8, 22, 25 and 26 will have been amended, and Claim 23 will have been canceled without prejudice or disclaimer. Additionally, new Claim 29 will have been added. Accordingly, Claims 1-22 and 24-29 remain currently pending.

Summary of the Office Action

In the subject Office Action, the Examiner has objected to the form of Claims 1 and 8. Further, Claims 22-28 were rejected under 37 U.S.C. § 12, second paragraph as being indefinite. On the merits, Claim 22 was rejected under 35 U.S.C. § 102(e) as being anticipated. Claims 1-21 are allowed. Additionally, the Examiner has indicated that Claims 23-28 would be allowable if rewritten to overcome the rejections under 35 U.S.C § 112, second paragraph.

Acknowledgement of Allowable Subject Matter

Applicant greatly acknowledges the Examiner's indication that Claims 1-21 have been allowed. Furthermore, Applicant gratefully acknowledges the indication that Claims 23-28 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all the limitations of the base claim and the intervening claims.

Objection to the Claims

Claims 1 and 8 are objected to because over formal matters. In particular, line two of Claim 8 recites "a". However, the Examiner notes that the next character immediately after "a", on the next line is also an "a". Also, the Examiner points out that Claims 1 and 8 recite "drain" and further notes that these appear to be typographical errors.

In regard to Claim 1, Applicant has deleted the word "drain" and replaced it with the word -- train -- . Moreover, in Claim 8 Applicant has deleted "a" from the preamble and has changed "drain" to -- train -- . Accordingly, in view of the aforementioned amendments to

Claims 1 and 8, Applicant requests that the Examiner withdraw the objections to Claims 1 and 8.

Traversal of Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 22-28 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

The Examiner submits that the limitation “said output shaft” in Claims 22 and 26 has improper antecedent basis. In particular, the Examiner contends that since both claims recite a first and second output shaft, that it is unclear which output shaft the Applicant is referring to.

To make Claims 22 and 26 even more clear and definite, Applicant has amended the phrase “said output shaft” to -- said second output shaft -- . Applicant now submits that Claims 22 and 26 now distinctly claim the subject matter which the Applicant regards as the invention, and therefore comply with 35 U.S.C. § 112, second paragraph.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of Claims 22-28 under 35 U.S.C. § 112, second paragraph.

Traversal of Rejection Under 35 U.S.C. § 102(e)

Applicant traverses the rejection of Claim 22 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,454,626 to An [herein after “AN”]. In order to expedite prosecution, Applicant has incorporated the allowable subject matter from dependent Claim 23 into independent Claim 22. In particular, Claim 22 as amended now recites, *inter alia*, a first input shaft coupled to a center axis of said middle cam on one end and coupled to a second gear train on the other end, said second gear train having a third output shaft, a lower cam radially connected to said third output shaft, said lower cam inter connected with a lower cam receiving slot for inducing a rotational motion in an upper assembly of said animation device.

Applicant submits that, as independent Claim 22 now includes allowable subject matter from Claim 23 as indicated by the Examiner, Claim 22 is now allowable. Further, Applicant submits that dependent Claims 24 and 25 are allowable at least for the reason that

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these claims depend from an allowable base claim and recite additional features that further define the present invention. Accordingly, Applicant requests that the Examiner reconsider and withdraw the objection of Claims 22 and 24-25 under U.S.C § 102(e), and indicate that these claims are allowable over the art of record.

New Independent Claim 29 is Allowable

Applicant has submitted new independent Claim 29 which includes all the features from the originally submitted independent Claim 22 and all the features from currently pending dependent Claim 24. Since dependent Claim 24 has been identified as having allowable subject matter by the Examiner in the subject Office Action, Applicant submits that new Claim 29 is allowable.

Accordingly, Applicant requests that the Examiner consider the merits of the newly submitted independent Claim 29 and indicate that this claim is allowable.

Application is Allowable

Applicant respectfully submits that each and every pending claim of the present invention meets the requirements for patentability and respectfully requests the Examiner to indicate allowance of such claims.

CONCLUSION

Applicant respectfully submits that each and every pending claim of the present application meets the requirements for patentability and respectfully requests that the Examiner indicate the allowance of such claims.

In view of the foregoing, it is submitted that none of the references of record, when considered individually or in any proper combination thereof, anticipate or render obvious the Applicant's invention as recited in each of Claims 1-22 and 24-29. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

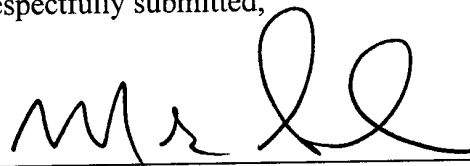
Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

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